Case 1:12-cv-03452-FB-CLP Document 10-5 Filed 01/09/13 Page 2 of 2 PageID #: 41

FORM 19 - SECRETAR - 1:12-cv-03452-FB-CLP Document 3 Filed 09/10/12 Page 1 of 1 PageID #: 9 SR

SAMUEL A EHRENFELD ESQ SAMUEL A EHRENFELD ESQ

U S DISTRICT COURT EASTERN DISTRICT STATE OF NEW YORK

CHAIM FRIEDMAN

PLAINTIFF

index No. CV 12-3452

Date Filed

SHARINN & LIPSHIE, P.C.

- against -

DEFENDANT

Office No. Court Date.

STATE OF NEW YORK, COUNTY OF NEW YORK :SS:

STEVE AVERY being duly sworn, deposes and says that he is over the age of 18 years, resides in the State of New York and is not a party to this action. That on the 17TH day of AUGUST, 2012 at 10:55 AM at the Office of the Secretary of State of the State of New York in the City of Albany, New York, he served the

SUMMONS AND COMPLAINT, DEMAND FOR TRIAL BY JURY

UPON: SHARINN &LIPSHIE, P.C. the DEFENDANT in this action, by delivering to and leaving with

CHAD MATICE, AGENT

in the office of the Secretary of State of New York, two true copies thereof and at the same time of making such service, deponent paid said Secretary of State, a fee of \$40.00. That said service was made pursuant to Section 306 BCL.

Deponent further describes the person actually served as follows:

SEX: MALE COLOR: WHITE HAIR: BLACK APP.AGE: 30 APP. HT: 6/2 WEIGHT: 215 OTHER IDENTIFYING FEATURES:

COMMENTS:

SWORN TO BEFORE ME THIS 29TH day of AUGUST, 2012

BRETT GOLUB Notary Public,

01G06129491

Qualified in NASSAU COUNTY Commission Expires 06/27/2013 STEVE AVERY

Empire Lawyers Service, LLC d/b/a Aetna Judicial Service 225 BROADWAY, SUITE 1802

NEW YORK, NY, 10007 Reference No: 3-SAE-224373